

THE FORTY-THIRD DAY

CARSON CITY (Monday), March 16, 2009

Assembly called to order at 11:46 a.m.

Madam Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Alan Dorway.

Gracious God, thank You for another day to serve You and our neighbors. We pray today for all serving here in the Assembly. We seek Your presence as we deal with colleagues and staff and as we struggle to solve the complex issues of our state. Help us to always look beyond ourselves and our needs to the needs of those often overlooked or on the margins of society. Lord, we ask for You to lead us this week. In Jesus' name we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Conklin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Madam Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 250, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BERNIE ANDERSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

March 16, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bills Nos. 87, 170, 179, 203, 213, 214, 221, 222, 229, 235, 238, 245, 246, 254, 275, 282, 302, 303, 310, 317, 328, 331, 334, 337, 338, 342 and 345.

MARK STEVENS

Fiscal Analysis Division

March 16, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Senate Bills Nos. 44, 52, 80, 85, 143 and 150.

GARY GHIGGERI

Fiscal Analysis Division

By Assemblymen Aizley, McClain, Kirkpatrick, Koivisto, Buckley, Arberry, Atkinson, Bobzien, Claborn, Conklin, Dondero Loop, Goicoechea, Grady, Hogan, Horne, Kihuen, Mortenson, Munford, Ohrenschall, Parnell, Pierce, Segerblom, and Smith:

Assembly Joint Resolution No. 7—Proposing to amend the Nevada Constitution by repealing provisions relating to lotteries.

Legislative Counsel's Digest:

Section 24 of Article 4 of the Nevada Constitution prohibits the State or any political subdivision thereof from conducting a lottery. The provision allows, however, charitable or nonprofit organizations to conduct certain lotteries, provided that the proceeds benefit charitable and nonprofit activities in Nevada. This resolution repeals that provision of the Nevada Constitution, thereby removing the prohibition on conducting a lottery in this State.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That Section 24 of Article 4 of the Nevada Constitution is hereby repealed.

TEXT OF REPEALED SECTION

Sec: 24. **Lotteries.**

1. Except as otherwise provided in subsection 2, no lottery may be authorized by this State, nor may lottery tickets be sold.

2. The State and the political subdivisions thereof shall not operate a lottery. The Legislature may authorize persons engaged in charitable activities or activities not for profit to operate a lottery in the form of a raffle or drawing on their own behalf. All proceeds of the lottery, less expenses directly related to the operation of the lottery, must be used only to benefit charitable or nonprofit activities in this State. A charitable or nonprofit organization shall not employ or otherwise engage any person to organize or operate its lottery for compensation. The Legislature may provide by law for the regulation of such lotteries.

Assemblyman Aizley moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblyman McArthur:

Assembly Joint Resolution No. 8—Urging Congress to repeal certain provisions of the Voting Rights Act of 1965.

Assemblyman McArthur moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblyman McArthur:

Assembly Joint Resolution No. 9—Requesting that the Nevada Congressional Delegation oppose legislation which disenfranchises workers by removing their right to a private ballot union election.

Assemblyman McArthur moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblywoman Buckley:

Assembly Joint Resolution No. 10—Urging Congress to enact legislation requiring the Secretary of the Interior to convey ownership of certain land to the State of Nevada for the development of projects for renewable energy.

Assemblyman Ocegüera moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblywomen Koivisto, Arberry, and Munford:

Assembly Joint Resolution No. 11—Urging Congress to implement the Homeowners and Bank Protection Act of 2007.

Assemblywoman Koivisto moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Cobb, Goedhart, Gustavson, Grady, McArthur and Settlemeyer:

Assembly Joint Resolution No. 12—Proposing to amend the Nevada Constitution by adding the provisions of the Tax and Spending Control for Nevada initiative.

Legislative Counsel's Digest:

This bill proposes to amend the Nevada Constitution by adding the provisions of the Tax and Spending Control for Nevada initiative (TASC). The provisions of this bill are substantially similar to versions of that initiative which were filed with the Secretary of State in conjunction with the 2006 General Election. The Legislative Counsel has not revised the language for clarity or consistency with the style and contents of the Nevada Constitution or the Nevada Revised Statutes. The initiative as submitted to the Legislative Counsel states that:

“If enacted, TASC for Nevada will add a new article to the Nevada Constitution:

Preventing state and local tax increases and new multi-year indebtedness except when referred to voters by 2/3 of the Nevada Legislature or of the local governing board, and passed by a majority of voters casting ballots at a general election (§ 2);

Limiting spending increases by the state, and by cities and counties chartered by the state, to inflation plus percentage change in population; allowing increases of these limits by the amount of voter-approved tax increases (§§ 4, 8);

If state or city revenues exceed spending limits, requiring the deposit of part of these revenues into a state Emergency Reserve Fund and Budget Stabilization (‘Rainy Day’) Fund, or a local Budget Reserve Fund;

Rebating any additional excess revenues to certain taxpayers;

Changing rules on the use of money in the existing state Rainy Day Fund, including requiring that 3/4 of the Legislature, rather than the Governor, declare any emergency (§§ 5, 6, 8);

Barring the state from imposing ‘unfunded mandates’ on cities and counties or ‘shifting’ costs to local governments (§ 7);

Providing for certain other important substantive changes to the Constitution (§§ 1, 9, 10);

Allowing suit for enforcement (§ 11).”

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new article, designated Article 10A, be added to the Nevada Constitution to read as follows:

**ARTICLE. 10A. TAX AND SPENDING
CONTROL FOR NEVADA**

Sec. 1. General.

WHEREAS, A Nevada Supreme Court decision, Guinn v. Legislature, 119 Nev. 277 (2003), held that the amendment twice passed by the voters of Nevada and incorporated in Section 18 of Article 4 of the Nevada Constitution requiring Legislative supermajorities for the passage of bills or resolutions increasing public taxes was a mere “procedural” requirement, to be effectively negated by a purportedly “substantive” provision of the Constitution; and

WHEREAS, The supermajority requirement was intended by the sovereign People of Nevada to be a fundamental governing principle of this State; and

WHEREAS, Limitation on the growth of Government remains the intent of the sovereign People of Nevada; and

WHEREAS, Limitation on the amounts that may be appropriated or authorized for expenditure will restrain the growth of Government; now, therefore

BE IT RESOLVED BY THE PEOPLE OF NEVADA that this new Article, entitled Tax and Spending Control for Nevada, be added to the Nevada Constitution, reading as follows:

Sec. 2. The People’s Right to Vote.

1. For any fiscal year that commences on or after January 1, 2013, state and local governments, excluding government enterprises and improvement districts, must receive voter approval for any new tax or rate increase above that of the prior year, or extension of an expiring tax, or a tax policy change directly causing a tax revenue gain to any such government. Voter approval is also required for the creation of any multi-fiscal year direct or indirect debt or other financial obligation after January 1, 2013, in order for the debt service payments of such debt or obligation to be exempted from Biennial Spending under Section 3, subsection 4 of this Article. Notwithstanding, debts or obligations with adequate present cash reserves, pledged irrevocably and held for payments in all future years, refinancing government bonded debt at a lower interest rate and adding new employees to existing pension plans shall not require a public vote under this Section.

2. Any election held to seek voter approval under subsection 1, must occur at an election conducted on the first Tuesday after the first Monday in November and must have been referred by at least a two-thirds affirmative vote of the members elected to each house for a state referral and two thirds of the governing board of a referring local government for a local referral. Passage of any such ballot question shall require the affirmative vote of a majority of the eligible voters casting a ballot at that election.

3. Every ballot question to determine voter approval under this Section by subsection 1 shall offer voters the options of “YES” or “NO” and shall include, in addition to normal descriptive language, the following statements in bolded capital letters:

(a) For any revenue approval question proposed to increase the amount of the State Spending Limit under Section 4 of this Article, the maximum dollar amount of the proposed increase in the State Spending Limit must be predetermined legislatively and the ballot and sample ballot must state in bold type immediately below the measure’s title: “A ‘YES’ VOTE ON THIS MEASURE WILL AUTHORIZE THE STATE TO RAISE TAXES AND EXCEED STATE CONSTITUTIONAL LIMITS ON GOVERNMENT SPENDING BY [insert proposed spending limit increase].”

(b) For any revenue approval question proposed to increase the amount of the Local Government Spending Limit under Section 8 of this Article, the maximum dollar amount of the Local Government Spending Limit under Section 8 must be predetermined and the ballot and sample ballot must state in bold type immediately below the measure’s title: “A ‘YES’

VOTE ON THIS MEASURE WILL AUTHORIZE [insert appropriate local government] **TO RAISE TAXES AND INCREASE LOCAL GOVERNMENT SPENDING BY** [insert maximum projected revenue increase].”

(c) For all multi-fiscal year debt approval questions required by this section, the maximum dollar amount of the amount borrowed and the cost of debt service must be predetermined and the ballot and sample ballot must state in bold type immediately below the measure’s title: “A ‘YES’ VOTE ON THIS MEASURE WILL AUTHORIZE [insert ‘THE STATE’ or name of the appropriate local government] **TO BORROW UP TO** [insert maximum dollar amount financed under the measure] **AT A TOTAL REPAYMENT COST OF** [insert anticipated maximum total dollar amount of completed debt service].”

Sec. 3. Definitions.

1. “Inflation” means the change expressed as a percentage in the consumer price index for the Western States, U.S. city average, all goods, all urban consumers, as calculated by the Bureau of Labor Statistics of the United States Department of Labor, or its successor index, or a similar federal index more specific to Nevada, when established.

2. “Population” means the number of people residing in the state as determined by the annual estimates as calculated according to the procedures established as of fiscal year July 1, 2007, or substantially similar successor procedures, and such number shall be adjusted to match the Federal Decennial Census. If a court of competent jurisdiction in a final order shall adjudge successor procedures to not be substantially similar, “Population” shall mean the number of people residing in the state as determined by the annual Federal Census estimates.

3. “Biennial budget cycle” means the two year period of consecutive state fiscal years commencing upon the first day of July during a year in which a regular session of the legislature is held.

4. “Biennial spending” means the total amount of moneys to be spent during a biennial budget cycle, whether by appropriation, authorization or other means, except:

(a) Moneys received from the federal government, or from any person or entity in the form of a gift or grant;

(b) Appropriations funded by multi-fiscal year indebtedness, or payment and interest on multi-fiscal year indebtedness if created before January 1, 2013, or otherwise established pursuant to Section 2, subsection 1 of this Article;

(c) Appropriations funded by unemployment and disability insurance funds, permanent endowment funds, trust funds including the highway trust fund of Article 9, Section 5, and the public education trust fund of Article 11, Section 3, or pension funds;

(d) Appropriations funded from proceeds from the sale of government property to non-governmental entities at full cash value;

(e) Moneys appropriated for declared emergencies pursuant to Section 5 of this Article, moneys appropriated for refunds to taxpayers pursuant to Section 6 of this Article, and appropriations funded by the voter-approved release of a Refundable Surplus pursuant to Section 6, subsection 3 of this Article; or

(f) Moneys expended by government enterprises to provide goods or services to the public where the purchase of such good or service is discretionary.

5. “Local government spending” means the total amount of moneys appropriated by a local government to be spent during a fiscal year, except:

(a) Moneys or appropriations described in this Section by subsection 4, paragraphs (a) through (f); or

(b) Moneys appropriated for refunds or credits to taxpayers pursuant to Section 8 of this Article, and appropriations funded by the voter-approved spending of a Refundable Local Tax Surplus pursuant to Section 8, subsection 4 of this Article.

6. “State” means the state government including all branches, state offices, authorities, agencies, boards, commissions, institutions, instrumentalities and any division or unit of state government which are directly supported, in whole or in part, with tax funds.

7. “Multi-year indebtedness” means any evidence of indebtedness that is entered into or establishes a debt obligation of the State or a local government for longer than one fiscal year, and includes, but is not limited to, bonds, notes, certificates, and lease-purchase agreements.

8. “Emergency” means an extraordinary event or occurrence that could not have been reasonably foreseen or prevented and that requires immediate expenditure to preserve the health and safety of the people.

9. “Total state revenue” means all moneys received by the state from any source except any of the following:

(a) Moneys received from the federal government, or from any person or entity in the form of a gift or grant;

(b) Moneys received from multi-year indebtedness;

(c) Moneys which are income earned on moneys in permanent endowment funds or segregated trust funds under Article 9, Section 2, subsection 2 of this constitution, or moneys from sources designated for public highways trust fund pursuant to Article 9, Section 5 or the public education trust fund pursuant to Article 11, Section 3 of this constitution;

(d) Proceeds from the sale of government property to non-governmental entities at full cash value;

(e) Moneys appropriated for declared emergencies pursuant to Section 5 of this Article, moneys appropriated for refunds to taxpayers pursuant to Section 6 of this Article, and appropriations funded by the voter-approved release of a Refundable Surplus pursuant to Section 6, subsection 3 of this Article; and

(f) Moneys received by government enterprises.

10. “Local Tax Revenue” as used in Section 8 of this Article, means all moneys received by a local government excluding those categories described in this Section by subsection 9, paragraphs (a) through (f), and in Section 8, subsections 3 and 4.

11. “State Spending Limit” means the State Spending Limit specified pursuant to Section 4 of this Article.

12. “Local Government Spending Limit” means the Local Government Spending Limits specified pursuant to Section 8 of this Article.

13. “Local government population” means the number of people residing within a local jurisdiction as determined by a substantially accurate system of population measurement for local governments that is uniformly administered by the state and designated for that purpose. Should no such qualifying measurement system be established, the measure of state population pursuant to subsection 2 of this Section shall be employed to determine the Local Government Spending Limit in Section 8 of this Article.

14. “Government enterprise” is a government-owned business, government board or commission that lacks authority to tax and receives less than 10 percent of its annual revenue in the form of grants, transfers or appropriations from all Nevada state and local government entities combined.

15. “Tax policy change” means any policy change directly altering the formula, method of calculation, qualifications, exemptions, terms or scope of an assessed tax.

16. “Improvement district” pursuant to Section 2, subsection 1 of this Article does not include county commissioners sitting as the ex officio board of a General Improvement District under Chapter 318 of the Nevada Revised Statutes.

Sec. 4. State Spending Limits.

1. For any state biennial budget cycle that commences on or after January 1, 2013, increases in biennial spending shall be subject to a State Spending Limit calculated as follows: (i) the total amount of biennial spending in the preceding biennial budget cycle increased or decreased by the percentage change in the consumer price index pursuant to Section 3, subsection 1, for the two preceding calendar years ending during the preceding state biennial budget cycle, plus the percentage change in state population during the two preceding calendar years ending during the preceding state biennial budget cycle, or (ii) the State Spending Limit for the previous biennial budget cycle, whichever amount is greater.

2. Notwithstanding subsection 1 of this Section, the State Spending Limit may be adjusted to incorporate revenue changes approved by voters pursuant to Section 2 of this Article.

3. The proposed biennial budget prepared by the executive department of the state government shall not exceed the State Spending Limit.

4. For the initial state biennial budget cycle of 2013-2015, the base biennium for the calculation of the State Spending Limit under subsection 1 shall be the 2007-2009 biennium,

adjusted for the average biennial change in population and inflation occurring between January 1, 2009, and January 1, 2013.

Sec. 5. Emergency Reserve Fund.

1. For any state biennial budget cycle that commences after January 1, 2013, and in which total state revenue exceeds the State Spending Limit determined pursuant to Section 4 of this Article, and before making any transfers to the Budget Stabilization Fund or any refunds or credits as required by Section 6 of this Article, the state Controller shall, prior to the end of the state biennial budget cycle, transfer total state revenue collected in excess of the State Spending Limit to the Emergency Reserve Fund, which fund is hereby created in the state treasury, to the extent necessary to ensure that the balance of the fund at the end of the biennial budget cycle is an amount equal to 3 percent of the total State Spending Limit for the ensuing state biennial budget cycle. The state shall not be required to transfer to the Fund any moneys other than revenue in excess of the total State Spending Limit. Unused revenues remaining in the Emergency Reserve Fund apply to the Fund for the ensuing biennium. The Fund shall be in addition to, and shall not be used to meet, any other reserve requirement of this Constitution or of law.

2. Moneys in the Emergency Reserve Fund may be expended only for an emergency declared by law that meets the definition within this Article. "Emergency" does not mean a revenue shortfall or budget shortfall. Appropriation from the fund may occur only upon a three-fourths approval vote of all elected members of each house of the legislature. Interest or other income earned on the Emergency Reserve Fund shall accrue to the fund. If any transfers from the Emergency Reserve Fund are determined in a legal proceeding to have been illegal, such transfers must be replaced, with interest, from total state revenue in the ensuing fiscal year and shall be included in the calculation of biennial spending under Section 3, subsection 4 of this Article.

Sec. 6. Budget Stabilization Fund.

1. For any state biennial budget cycle that commences on or after January 1, 2013, if total state revenue as defined in Section 3 of this Article exceeds the State Spending Limit for that biennial budget cycle the excess shall be reserved or refunded as follows:

(a) The Legislature shall provide by law for the creation, as a special revenue fund, of a fund to stabilize the operation of the state government and to be known as the Budget Stabilization Fund. After any amount required to be transferred to the Emergency Reserve Fund of the state pursuant to Section 5 of this Article has been transferred, an amount of any remaining excess amount of total state revenue shall be transferred in the manner prescribed by the legislature by law to the Budget Stabilization Fund.

(b) The amount transferred to the Budget Stabilization Fund in accordance with this subsection shall be equal to the lesser of: (i) an amount equal to 50 percent of any such remaining excess amount of total state revenue, or (ii) the amount necessary to ensure that the balance in the Fund at the end of the biennium is an amount equal to 5 percent of the total State Spending Limit for the ensuing biennial budget. Interest or other income earned on moneys in the Fund shall accrue to the Fund.

(c) In no case shall additional moneys be transferred into the Fund if the balance in the fund is equal to or more than 5 percent of the total State Spending Limit for the ensuing biennial budget cycle.

(d) This fund shall constitute constitutional protection for the State of Nevada's current Fund to Stabilize Operation of State Government and for its purpose, and shall receive any moneys currently therein, with the exception of funds in the disaster relief account, which shall be placed within the Emergency Reserve Fund.

2. The State Controller shall transfer money from the Budget Stabilization Fund to the general fund in the minimum amount necessary to offset a shortfall in total state revenue below the State Spending Limit. Under no other circumstances shall the State Controller transfer moneys from the Budget Stabilization Fund.

3. After transfers are made to the Emergency Reserve and Budget Stabilization funds pursuant to Section 5 or Section 6 of this Article, an excess amount of total state tax revenue for a biennial budget cycle may remain. In such an event:

(a) *Should the excess tax revenue be a sum equal to or greater than 0.5 percent of the State Spending Limit, it shall be deemed "Refundable Tax Surplus." By a two-thirds vote of each chamber, the Legislature may ask voters for approval, pursuant to Section 2, subsection 2 of this Article, to spend all or part of a Refundable Tax Surplus. Absent approval of the voters to spend the Refundable Tax Surplus, half of that Surplus shall be refunded or credited to taxpayers during the next ensuing fiscal year in proportionate relief of all state motor vehicle taxes and fees paid during the previous biennium, and the remaining half of that Surplus shall be refunded or credited to taxpayers during the next ensuing fiscal year in proportionate relief of state excise taxes paid by employers upon employee wages during the previous biennium. If any portion of the Surplus remains after fully satisfying either tax rebate category, that portion shall be refunded or credited proportionately to taxpayers against taxes paid in a manner determined by majority action of the Legislature.*

(b) *Should the excess tax revenue be a sum less than 0.5 percent of the State Spending Limit, it shall be deemed a "Saved State Tax Surplus" and shall constitute an obligation of the state government to be repaid to state taxpayers at such time as a subsequent Refundable Tax Surplus, in combination with that Saved Tax Surplus, exceeds 0.5 percent of the State Spending Limit.*

Sec. 7. Mandated and Shifted Costs.

The Nevada Legislature shall not, directly or indirectly, enact laws or authorize the adoption of regulations, requiring the counties and cities of the State to provide new services, expand existing services or conduct new or additional governmental function without appropriating or designating state funding sources to fully support said new services, expansion of existing services and new or additional governmental functions. The proportion of state revenue paid to all local units of government, taken as a group, shall not be reduced below that proportion in effect at the adoption of this Article unless the state has relieved local governments of an obligation or expense. Where state laws or regulations directly or indirectly reduce the expenses of local governments, the proportion of state revenue paid to all local units of government may be reduced by up to the amount of the reduced expenses. Where costs are transferred from one unit of government to another unit of government, either by law, court order or agreement, the limitation imposed by Sections 4 and 8 of this Article shall be adjusted and transferred accordingly so that total costs of the transferred services are not increased as a result of such transfer.

Sec. 8. Local Government Spending Limits.

1. All local government spending by cities and counties chartered by the state for three or more years shall be subject to a Local Government Spending Limit. This limit shall apply to the first fiscal year for each city and county that commences on or after January 1, 2013, and shall limit city or county fiscal-year spending to the greater of:

(a) The total amount of local government spending in the preceding fiscal year increased by a percentage amount equal to the result obtained by adding the rate of inflation for the preceding calendar year, plus the percentage change in local government population during the preceding calendar year; or

(b) The Local Government Spending Limit for the previous fiscal year.

2. Notwithstanding subsection 1, the Local Government Spending Limit may be adjusted to incorporate revenue changes approved by voters pursuant to Section 2 of this Article.

3. When local tax revenue exceeds the Local Government Spending Limit, counties and cities may retain up to half of the budget surplus in any fiscal year for a Budget Reserve Fund. The purpose of the Fund shall be limited to offsetting a shortfall of revenue below the Local Government Spending Limit or addressing declared emergencies. The Budget Reserve Fund is limited to 5 percent of the Local Government Spending Limit.

4. After transfers are made to a county or city Budget Reserve Fund pursuant to subsection 3 of this section, an excess amount of local tax revenue for a fiscal year may remain. In that event:

(a) Should the excess tax revenue be equal to or greater than 1 percent of the Local Government Spending Limit, it shall be deemed "Refundable Local Tax Surplus." By a two-thirds vote of the local governing body, the local government may ask voters for approval, pursuant to Section 2, subsection 2 of this Article, to spend all or part of a Refundable Local

Tax Surplus. Absent approval of the voters to spend the Refundable Local Tax Surplus, that Surplus shall be held and credited to the next year's property tax bill for each private parcel in the jurisdiction of the local government, in proportion to each parcel's contribution to total property tax proceeds. If any portion of the Surplus remains thereafter, that portion shall be refunded or credited proportionately to taxpayers against taxes paid in a manner determined by majority action of the local government's governing board.

(b) Should the excess tax revenue be less than 1 percent of the Local Government Spending Limit, it shall be deemed a "Saved Local Tax Surplus," and shall constitute an obligation of the local government to be repaid to local government taxpayers at such time as a subsequent Refundable Local Tax Surplus, in combination with that Saved Local Tax Surplus, exceeds 1 percent of the Local Government Spending Limit.

Sec. 9. Amendment.

Any proposed amendment to this Constitution mandating specific state appropriations for projects or services, or establishing a minimum formula for state appropriations, for any purpose, that does not also establish a specific source of additional state revenue dedicated to fully funding those appropriations, must include the following voter advisory displayed in bolded capital letters above the ballot question on the ballot and the sample ballot:

“NOTICE TO VOTERS: THIS MEASURE REQUIRES ADDITIONAL STATE EXPENSES WITHOUT CREATING A MEANS TO PAY FOR THEM. PASSAGE MAY REDUCE FUNDING FOR OTHER IMPORTANT GOVERNMENT FUNCTIONS.”

Sec. 10. Implementation.

All provisions of this Article are self-executing and severable and supersede conflicting state constitutional, state statutory, charter, or other state or local provisions. The legislature may enact such legislation as may be necessary to implement and enforce the provisions of this Article and repeal or amend all laws inconsistent with the provisions of this Article to conform to the provisions of this Article. In any circumstances where two or more reasonable interpretations of a provision of this Article exist, the correct interpretation shall be that which better restrains growth in government spending. In any circumstances where another provision of this Constitution is deemed to conflict with this Article, such other provision shall be superseded by this Article. If a court of competent jurisdiction in a final order shall adjudge any expenditure category, or revenue source, exempt from this section, the process of computing the State Spending Limit shall be adjusted accordingly and remaining provisions shall be in full force and effect.

Sec. 11. Enforcement.

Any Nevada taxpayer or class of Nevada taxpayers shall have standing to commence an action to enforce this Article. A court of record shall award successful plaintiffs costs and reasonable attorney fees in the suit. Should the Court determine that the action was frivolous, the Court may award reasonable expenses to the prevailing party.

Sec. 12. Effective Date.

This Article shall become effective on January 1, 2013.

Assemblyman Cobb moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Gansert, Hardy, Stewart, Grady, and Hambrick:

Assembly Joint Resolution No. 13—Proposing to amend the Nevada Constitution to authorize the Legislature to reapportion the legislative districts when a certain percentage of the districts have experienced changes in population.

Legislative Counsel's Digest:

The Nevada Constitution requires the Legislature to determine the number of Senators and Assemblymen and to apportion them among the several counties or among legislative districts every 10 years based on the data from the decennial census of the United States. (Nev. Const. Art. 4, § 5)

This bill proposes to amend the Nevada Constitution to authorize the Legislature to conduct a reapportionment of legislative districts in between the decennial censuses if the population in 15 percent of Assembly or Senate districts is greater than or less than, by more than 10 percent, the average population of the Assembly or Senate districts, respectively.

If this proposed resolution is passed by the 2009 Legislature, it must also be passed by the next Legislature and approved and ratified by the people in an election before the proposed amendment to the Nevada Constitution becomes effective.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That Section 5 of Article 4 of the Nevada Constitution be amended to read as follows:

1. Senators and members of the Assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of Senators shall not be less than one-third nor more than one-half of that of the members of the Assembly.

2. It shall be the mandatory duty of the Legislature at its first session after the taking of the decennial census of the United States in the year 1950, and after each subsequent decennial census, to fix by law the number of Senators and Assemblymen, and apportion them among the several counties of the State, or among legislative districts which may be established by law, according to the number of inhabitants in them, respectively.

3. *The Legislature may fix by law the number of Senators and Assemblymen and apportion them among the legislative districts and revise the legislative districts during a legislative session that falls during the period between decennial censuses whenever the population in:*

(a) *Fifteen percent or more of the assembly districts is greater or less than, by more than 10 percent, the average population of the assembly districts; or*

(b) *Fifteen percent or more of the senate districts is greater or less than, by more than 10 percent, the average population of the senate districts,*

using any measure of population that is found to be reliable by the Legislature. The Legislature may provide by law for procedures to facilitate the operation of this subsection.

Assemblywoman Gansert moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 23.

Bill read second time and ordered to third reading.

Assembly Bill No. 37.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that Assembly Bills Nos. 34, 187, 199, and 242 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Mortenson, Segerblom, Bobzien, Claborn, Horne, Kihuen, Kirkpatrick, Manendo, Munford, Ohrenschall, Parnell, Pierce, Smith, and Spiegel:

Assembly Bill No. 352—AN ACT relating to the Spring Mountains National Recreation Area; limiting certain powers of planning and zoning that may be exercised by local governments within the Area; limiting gaming in the Area to holders of restricted licenses; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Bobzien, Smith, Leslie, Parnell, Anderson, Goicoechea, Kirkpatrick, and Settlemeyer:

Assembly Bill No. 353—AN ACT relating to property; revising the abatement procedures and penalties for a violation of certain state laws that prohibit public nuisances; providing that those same procedures and penalties apply to a violation of a city or county ordinance that prohibits public nuisances; expanding the applicability of certain abatement procedures available to a board of county commissioners to include specifically the abatement of a public nuisance; authorizing the solid waste management authority in certain counties to establish a program for the control of unlawful dumping; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Goedhart, Cobb, Gustavson, Hambrick, McArthur, Stewart, and Woodbury; Senator Rhoads:

Assembly Bill No. 354—AN ACT relating to agriculture; requiring the Director of the State Department of Agriculture to appoint a person as a resource management specialist in the Department; setting forth the duties of the person appointed; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblymen Goedhart, Cobb, Gustavson, Hambrick, Hardy, Settlemeyer, Stewart, and Woodbury; Senator McGinness:

Assembly Bill No. 355—AN ACT relating to public utilities; providing simplified procedures for certain public utilities to change rates for water or sewage disposal; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Ohrenschall, McClain, Aizley, Anderson, Carpenter, Manendo, Mortenson, and Segerblom; Senators Parks, Care, and Schneider:

Assembly Bill No. 356—AN ACT relating to the Public Employees' Retirement System; providing that a person may present certain evidence to the Public Employees' Retirement System Board to be named a survivor beneficiary or additional payee of a deceased member who has not designated a survivor beneficiary or additional payee on a form provided by the System; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Carpenter:

Assembly Bill No. 357—AN ACT making an appropriation to fund a public health nurse in Elko County; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Carpenter (by request):

Assembly Bill No. 358—AN ACT making an appropriation to the Department of Transportation to fund rural transit operations for elderly persons and persons with disabilities; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Woodbury, Hardy, Gansert, Ohrenschall, Aizley, Atkinson, Bobzien, Christensen, Claborn, Denis, Dondero Loop, Goedhart, Goicoechea, Hambrick, Hogan, Kihuen, Kirkpatrick, Manendo, Munford, Ocegüera, Pierce, Settlemeyer, Spiegel, and Stewart; Senators Breedon, Schneider, and Woodhouse:

Assembly Bill No. 359—AN ACT relating to education; requiring the boards of trustees of school districts and the governing bodies of charter schools to ensure that certain personnel possess the skills and qualifications

necessary to work with pupils with autism; prescribing the qualifications for a paraprofessional who assists pupils with autism; requiring the Health Division of the Department of Health and Human Services to ensure that certain personnel possess the skills and qualifications necessary to provide services to children with autism and their families; and providing other matters properly relating thereto.

Assemblywoman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Goicoechea, Gustavson, and Settelmeyer (by request):

Assembly Bill No. 360—AN ACT relating to special districts; authorizing the creation of certain special districts to manage certain federal funds provided to the State; requiring that certain federal funds be distributed directly to certain special districts; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman McArthur:

Assembly Bill No. 361—AN ACT relating to common-interest communities; providing that, under certain circumstances, a unit-owners' association may, without liability for trespass, enter the grounds of a vacant unit or a unit in foreclosure to abate a public nuisance or maintain the exterior of the unit; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Claborn:

Assembly Bill No. 362—AN ACT relating to wildlife; revising provisions governing the use of the fee charged for processing an application for a game tag; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblywoman Leslie and Senator Care:

Assembly Bill No. 363—AN ACT relating to graywater; requiring the State Board of Health to adopt regulations concerning systems for the collection and application of graywater for a single-family residence; providing that state and local government agencies must not require a permit for or prohibit the collection and application of graywater for a single-family residence that meets certain requirements; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Mastroluca, Buckley, Leslie, Smith, Denis, and Pierce:

Assembly Bill No. 364—AN ACT relating to the protection of children; making various changes to provisions governing the court-ordered admission of a child to a locked facility; requiring a court to provide for visitation of siblings who are separated after the parental rights of their parents are terminated; requiring the development of policies concerning certain medication given to children with emotional disturbances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblywoman Leslie:

Assembly Bill No. 365—AN ACT relating to health insurance; requiring policies of health insurance to provide coverage for treatment of an eating disorder; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Mastroluca, Conklin, Kirkpatrick, and Pierce:

Assembly Bill No. 366—AN ACT relating to deceptive trade practices; establishing a private right of action for civil remedies for a person injured by a person engaging in a deceptive trade practice; revising the definition of “deceptive trade practice”; revising provisions governing actions by victims of fraud; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Settelmeyer, Cobb, Hardy, Anderson, Carpenter, Christensen, Conklin, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Kirkpatrick, Mastroluca, McArthur, McClain, Segerblom, Stewart, and Woodbury:

Assembly Bill No. 367—AN ACT relating to departments of alternative sentencing; authorizing a department of alternative sentencing to supervise certain persons who are released from custody before trial or sentencing; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By Assemblymen Stewart, Hardy, Christensen, Claborn, Gustavson, Hambrick, Munford, Settlemeyer, and Woodbury:

Assembly Bill No. 368—AN ACT relating to mental health; authorizing courts to admit involuntarily certain persons suffering from mental illness to programs for community-based or outpatient services under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Mortenson:

Assembly Bill No. 369—AN ACT relating to taxation; revising the provision providing property tax exemptions for the property of certain nonprofit organizations; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Carpenter:

Assembly Bill No. 370—AN ACT relating to pharmacies; providing for the establishment of remote sites, satellite consultation sites and telepharmacies; requiring the State Board of Pharmacy to adopt regulations for the operation of such establishments; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Ohrenschall:

Assembly Bill No. 371—AN ACT relating to taxicabs; requiring the Taxicab Authority to consider the interests of taxicab drivers in making certain decisions; providing that the Taxicab Authority must consider certain factors before establishing a permanent increase in the existing allocations of taxicabs; prohibiting a certificate holder from terminating the employment of a taxicab driver under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Carpenter:

Assembly Bill No. 372—AN ACT relating to commercial motor vehicles; revising provisions regarding gross vehicle weight ratings and enforcement of weight limitations on certain motor vehicles and motor carriers; providing

for administrative fines for certain violations by motor carriers; revising provisions relating to purchase by motor carriers of temporary permits; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblywoman McClain:

Assembly Bill No. 373—AN ACT making an appropriation to the Office of Veterans' Services for the State's share of the cost of establishing a veterans' home in northern Nevada; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman McClain:

Assembly Bill No. 374—AN ACT relating to the Public Employees' Retirement System; revising provisions governing the employment of retired public employees with public employers under the System; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman McClain:

Assembly Bill No. 375—AN ACT relating to state financial administration; requiring a portion of the proceeds of property taxes currently levied for cooperative extension programs to be used by the Aging Services Division of the Department of Health and Human Services for services for senior citizens; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Hogan:

Assembly Bill No. 376—AN ACT relating to water; requiring certain suppliers of water that wish to change the rates they charge for the use of water to estimate the amount of water that will be conserved by the change in rates; imposing certain reporting requirements on those suppliers of water; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Bobzien:

Assembly Bill No. 377—AN ACT relating to water; imposing an additional condition on the approval by the State Engineer of an application for the beneficial use of water; and providing other matters properly relating thereto.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Ocegueda:

Assembly Bill No. 378—AN ACT relating to liquor; authorizing a wholesale dealer to receive original packages of a brand of liquor from an affiliate of the wholesale dealer located outside this State under certain circumstances; prohibiting a supplier from unreasonably withholding or delaying its approval of certain decisions relating to a franchise with a wholesaler under certain circumstances; imposing other prohibitions on a supplier; providing a remedy for violations; and providing other matters properly relating thereto.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Segerblom, Leslie, Dondero Loop, Horne, Manendo, Mortenson, and Ohrenschall; Senator Carlton:

Assembly Bill No. 379—AN ACT relating to health care; revising provisions governing the amount and type of care which certain hospitals must provide to indigent patients; and providing other matters properly relating thereto.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Hambrick, Anderson, Carpenter, Dondero Loop, Horne, Manendo, Ohrenschall, and Parnell:

Assembly Bill No. 380—AN ACT relating to crimes; providing for the freezing and forfeiture of the assets of a person who commits certain offenses involving the pandering or prostitution of a child; imposing a civil penalty against a person convicted of certain offenses involving the pandering or prostitution of a child; and providing other matters properly relating thereto.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Segerblom, Ohrenschall, Anderson, and Mortenson:

Assembly Bill No. 381—AN ACT relating to trade practices; making provisions in certain contracts that require arbitration void and unenforceable

under certain circumstances; requiring certain disclosures by arbitral organizations; requiring certain disclosures in agreements to arbitrate; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman McClain:

Assembly Bill No. 382—AN ACT relating to crimes; revising the provisions pertaining to the persons who are required to report the abuse, neglect, exploitation or isolation of an older person; revising the provisions pertaining to the persons who are required to report the abuse, neglect, exploitation or isolation of a vulnerable person; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Hardy and Senator Hardy:

Assembly Bill No. 383—AN ACT providing a charter for the City of Laughlin, in Clark County, Nevada; providing for an election to be held on the question of incorporation; making the incorporation of the City contingent upon approval of this act by qualified electors of the city; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Kihuen, Manendo, Anderson, Denis, Gustavson, Hambrick, Horne, McArthur, Mortenson, Munford, Ohrenschall, and Segerblom:

Assembly Bill No. 384—AN ACT relating to crimes; revising provisions making it a crime for prisoners to commit certain acts involving human excrement or bodily fluid; requiring certain law enforcement agencies to pay for certain examinations and testing requested by certain officers and employees who are victims of such a crime; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By Assemblyman Horne:

Assembly Bill No. 385—AN ACT relating to supervision of convicted persons; making various changes concerning the maximum caseload of each parole and probation officer who supervises convicted persons; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By Assemblyman Horne (by request):

Assembly Bill No. 386—AN ACT relating to taxes on retail sales; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption from the tax for hearing aids, hearing aid accessories and ophthalmic or ocular devices or appliances sold to senior citizens; providing for the exemptions from certain analogous taxes if the voters approve this amendment to the Sales and Use Tax Act of 1955; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Taxation and Ways and Means.

Motion carried.

By Assemblymen Conklin, Kirkpatrick, Leslie, Buckley, Ocegüera, and Bobzien:

Assembly Bill No. 387—AN ACT relating to public utilities; requiring public utilities to submit certain information regarding renewable energy to the Public Utilities Commission of Nevada; authorizing the Commission to approve construction or expansion of transmission facilities based on an expectation of future renewable energy development; revising provisions requiring certain providers of electric service to comply with a portfolio standard for renewable energy; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Anderson and Manendo:

Assembly Bill No. 388—AN ACT relating to gaming; revising the definition of “sports pools”; revising the provisions relating to the operation of gaming salons; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Parnell, Horne, Anderson, Kihuen, Koivisto, Carpenter, Conklin, Dondero Loop, Grady, Gustavson, Hambrick, Manendo, McArthur, Mortenson, Ocegüera, Ohrenschall, and Segerblom; Senator Amodei:

Assembly Bill No. 389—AN ACT relating to personal identifying information; prohibiting a person from printing certain information concerning a credit card or debit card on any copy of a receipt retained by the

person; providing civil and criminal penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Stewart, Claborn, Hambrick, and Munford:

Assembly Bill No. 390—AN ACT relating to business brokers; revising the definition of “business broker”; revising certain requirements to engage in the business of a business broker; revising certain continuing education requirements for business brokers; revising certain requirements for the appointment of designated business brokers for the supervision of other business brokers; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Koivisto:

Assembly Bill No. 391—AN ACT relating to tanning establishments; requiring that operators of tanning equipment be at least 18 years of age; restricting the use of tanning equipment by minors; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Koivisto:

Assembly Bill No. 392—AN ACT relating to public works; requiring a public body to provide for the negotiation of a project labor agreement on a large-scale public work and to require a contractor or subcontractor to become a party to the project labor agreement as a condition of being awarded a contract; providing an exception; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Smith:

Assembly Bill No. 393—AN ACT relating to education; revising provisions relating to the enrollment of pupils in charter schools; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblyman Mortenson:

Assembly Bill No. 394—AN ACT relating to cooperative agreements; creating an advisory bistate commission to study various environmental and land-use issues that are common to the areas of Nye County, Nevada, Clark County, Nevada, Inyo County, California, and San Bernardino County, California, and make recommendations to certain governing bodies; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Aizley, Buckley, Bobzien, Kirkpatrick, Leslie, Pierce, and Smith; Senator Parks:

Assembly Bill No. 395—AN ACT relating to state employees; authorizing discussions of workplace relations for certain state employees; changing the name of the Local Government Employee-Management Relations Board to the Public Employment Relations Board; expanding the duties of the Board to include discussions of workplace relations for certain state employees; providing for workplace relations units of state employees and for their representatives; establishing procedures for discussing workplace relations and for making and amending workplace relations agreements; prohibiting certain unfair labor practices; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Gansert, Grady, Hambrick, Hardy, Settlemeyer, and Woodbury:

Assembly Bill No. 396—AN ACT relating to vehicles; authorizing the optional registration of vehicles for a 2-year period; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Hardy, Gansert, Goedhart, Hambrick, and Stewart; Senator Hardy:

Assembly Bill No. 397—AN ACT relating to community redevelopment; authorizing redevelopment agencies to expend money to improve schools located within redevelopment areas; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Hardy, Gansert, Goedhart, Hambrick, and Stewart:

Assembly Bill No. 398—AN ACT relating to public health; limiting disclosure of certain records of a health authority; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Gansert, Grady, Hambrick, Hardy, Settlemeyer, and Woodbury:

Assembly Bill No. 399—AN ACT relating to insurance; requiring the Commissioner of Insurance to establish and maintain a centralized database for the electronic interchange of certain information; requiring persons administering a publicly sponsored health plan to establish primacy before paying any claim for benefits; requiring the Division of Health Care Financing and Policy of the Department of Health and Human Services to respond to certain inquiries from the Commissioner of Insurance; providing civil penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Settlemeyer, Cobb, Gansert, Goedhart, Goicoechea, Grady, Hambrick, and Hardy:

Assembly Bill No. 400—AN ACT relating to the taxation of property; limiting the methods allowed for determining the taxable value of land by appraisal; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Bobzien:

Assembly Bill No. 401—AN ACT relating to the Nevada System of Higher Education; extending the authority of the Board of Regents of the University of Nevada to issue bonds and other securities for certain projects; amending the names of certain colleges; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

By Assemblymen Bobzien and Leslie; Senator Parks:

Assembly Bill No. 402—AN ACT relating to public utilities; providing that certain entities must be included as parties to a public hearing concerning a resource plan of a public utility; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Settlemeyer, Gansert, Goedhart, Goicoechea, Grady, Hambrick, Hardy, Stewart, and Woodbury:

Assembly Bill No. 403—AN ACT relating to taxes on retail sales; revising various provisions governing sales and use taxes to ensure continued compliance with the Streamlined Sales and Use Tax Agreement; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to authorize the Legislature to amend or repeal a provision of that Act without additional voter approval when necessary to resolve a conflict with a federal law or interstate agreement for the administration of sales and use taxes; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Gansert, Goicoechea, Grady, Hambrick, Hardy, Settlemeyer, and Woodbury:

Assembly Bill No. 404—AN ACT relating to state financial administration; requiring the State Controller to return to the Indigent Accident Account of the Fund for Hospital Care to Indigent Persons certain money that was previously transferred out of that Account; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Bobzien and Senator Parks:

Assembly Bill No. 405—AN ACT relating to the Division of Industrial Relations of the Department of Business and Industry; providing that certain measures intended to reduce operating costs must be allowed in buildings; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Gansert, Grady, Hambrick, Hardy, Settlemeyer, and Woodbury:

Assembly Bill No. 406—AN ACT relating to public employees; creating the State Retirees' Health and Welfare Benefits Defined Contribution Fund as an irrevocable trust to fund premiums and contributions for health and welfare benefits for certain state retirees; providing for the administration of the Fund; limiting certain expenditures by the Board of the Public

Employees' Benefits Program and limiting assessments by the Department of Administration to fund a portion of the costs of premiums or contributions for the Program to state retirees who begin full-time employment before a certain date; prohibiting a state agency from paying any part of the premiums or contributions for the Program for employees who have not completed at least 10 years of full-time employment; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Bobzien and Smith; Senator Parks:

Assembly Bill No. 407—AN ACT relating to motor vehicles; increasing the fee for the reinstatement of a driver's license or commercial driver's license that has been suspended, revoked, cancelled or disqualified under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Christensen:

Assembly Bill No. 408—AN ACT relating to crimes; revising the definition of an "act of terrorism"; increasing the penalty for racketeering; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Bobzien, Pierce, Anderson, Claborn, Kirkpatrick, Koivisto, Leslie, and McClain:

Assembly Bill No. 409—AN ACT relating to public employees; requiring the Local Government Employee-Management Relations Board to conduct certain hearings using certain hearing officers; revising provisions governing the appointment of members to the Board; eliminating the Board's authority to appoint certain officers; revising the periods within which the Board must hear and decide certain complaints; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Claborn:

Assembly Bill No. 410—AN ACT relating to industrial insurance; allowing the provisions of certain collective bargaining agreements to supersede various statutory provisions relating to industrial insurance; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Claborn and Kirkpatrick:

Assembly Bill No. 411—AN ACT relating to contractors; prohibiting contractors from hiring certain employees for work relating to plumbing; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Claborn, Atkinson, Bobzien, Gustavson, Hambrick, Hogan, Horne, Leslie, Manendo, McClain, Mortenson, and Stewart:

Assembly Bill No. 412—AN ACT relating to traffic laws; authorizing an operator of a tow car to tow an occupied vehicle under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Claborn:

Assembly Bill No. 413—AN ACT relating to elections; enacting the Agreement Among the States to Elect the President by National Popular Vote; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Claborn, Atkinson, Bobzien, Hambrick, Hogan, Leslie, Manendo, McClain, Mortenson, and Stewart:

Assembly Bill No. 414—AN ACT relating to air pollution; providing for a voluntary program of electronic submission of emissions information to the Department of Motor Vehicles through the use of onboard diagnostic and transmission equipment; providing for the establishment of standards for emissions from a reconstructed vehicle; revising provisions for the establishment of standards for emissions from a trimobile; revising provisions relating to the emissions inspections of certain heavy-duty diesel vehicles by the Department; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

Assemblyman Ocegüera moved that the Assembly recess until 5 p.m.

Motion carried.

Assembly in recess at 12:23 p.m.

ASSEMBLY IN SESSION

At 5:20 p.m.

Madam Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Goicoechea, Carpenter, Goedhart, Grady, Hardy, Settlemeyer, and Stewart; Senator Rhoads:

Assembly Bill No. 415—AN ACT relating to counties; authorizing certain smaller counties to combine or separate certain county offices after approval by a vote of the residents of the county; making the County Clerk the ex officio County Treasurer in White Pine County except in certain circumstances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Goicoechea, Carpenter, Leslie, Gansert, Goedhart, Grady, Hardy, and Smith; Senator Rhoads:

Assembly Bill No. 416—AN ACT relating to water; requiring the State Engineer or a person designated by him to conduct an inventory of a basin before approving an application for an interbasin transfer of groundwater under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Kirkpatrick, Atkinson, and Pierce:

Assembly Bill No. 417—AN ACT relating to traffic laws; revising provisions governing the operation of vehicles on highways and controlled-access highways; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Kirkpatrick, Smith, Leslie, Bobzien, Koivisto, Mastroluca, McClain, Parnell, and Pierce:

Assembly Bill No. 418—AN ACT relating to credit reporting; prohibiting the consideration of certain unpaid or unsettled medical bills under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Goicoechea and Carpenter; Senator Rhoads (by request):

Assembly Bill No. 419—AN ACT relating to county treasurers; making the County Clerk the ex officio County Treasurer in White Pine County; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Kirkpatrick, Smith, Anderson, Bobzien, Koivisto, Leslie, Mastroluca, McClain, Parnell, and Pierce:

Assembly Bill No. 420—AN ACT relating to care of children; clarifying that a convention hall or other convention facility may be an “accommodation facility” subject to certain provisions if it operates a licensed child care facility; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Munford, Manendo, McClain, Mortenson, and Stewart:

Assembly Bill No. 421—AN ACT relating to education; prohibiting the governing body of a charter school from contracting with certain entities which are conducted for profit for the provision of certain services, programs and personnel; revising the provisions governing the membership of a committee to form a charter school; revising the provisions governing the membership of the governing body of a charter school; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Smith, Buckley, Leslie, Anderson, Kirkpatrick, Bobzien, Conklin, Denis, Hardy, Koivisto, Mastroluca, McClain, Ocegüera, and Parnell:

Assembly Bill No. 422—AN ACT relating to the financing of local improvements; making various changes regarding certain types of financing using revenue pledged from sales and use taxes; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Manendo (by request):

Assembly Bill No. 423—AN ACT relating to manufactured home parks; requiring landlords to reduce the rent for certain older persons who are tenants of manufactured home parks; establishing the eligibility and procedural requirements which must be satisfied before such a person receives a reduction in rent; establishing the procedures by which a landlord may object to a reduction in rent; providing remedies and administrative civil penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Munford, Kihuen, McClain, Mortenson, and Pierce:

Assembly Bill No. 424—AN ACT relating to parole; requiring the release of certain offenders on parole when they become eligible; revising the considerations for determining whether to grant parole; making various other changes to provisions relating to parole; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By Assemblymen Dondero Loop, Parnell, Horne, Kihuen, Arberry, Bobzien, Conklin, Denis, Goicoechea, Gustavson, Hambrick, Koivisto, Manendo, Mastroluca, McClain, Mortenson, Ohrenschall, Segerblom, and Smith:

Assembly Bill No. 425—AN ACT relating to education; authorizing the Superintendent of Public Instruction to issue an additional license to teach elementary education, middle school or junior high school education or secondary education to certain licensed teachers; revising provisions governing the reciprocal licensure of teachers and other educational personnel; requiring the Commission on Professional Standards in Education to conduct a review of the regulations of the Commission governing the licensure and endorsement of special education teachers; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Pierce, Arberry, Atkinson, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, McClain, Mortenson, Munford, Ocegüera, Ohrenschall, and Segerblom; Senators Parks, Copening, and Wiener:

Assembly Bill No. 426—AN ACT relating to recycling; prohibiting a manufacturer from selling or offering or delivering for sale in this State certain electronic devices under certain circumstances; requiring a manufacturer of such an electronic device to register with the Division of

Environmental Protection of the State Department of Conservation and Natural Resources under certain circumstances; requiring the payment of annual registration fees and recycling fees; prohibiting a retailer from selling or offering or delivering for sale in this State such an electronic device under certain circumstances; requiring the Division to prepare a monthly list of registered manufacturers; enacting other provisions relating to the recycling of such electronic devices; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblymen Grady, McClain, Carpenter, Gansert, Hambrick, Parnell, Segerblom, and Settlemeyer; Senators Amodei and Washington:

Assembly Bill No. 427—AN ACT relating to the taxation of property; providing for the agricultural use assessment of real property used for grazing estray or feral horses pursuant to an agreement with the State Department of Agriculture; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture, and Mining and Taxation.

Motion carried.

By Assemblymen Dondero Loop, Parnell, Horne, Kihuen, Arberry, Bobzien, Conklin, Denis, Goicoechea, Hambrick, Koivisto, Manendo, Mastroluca, McClain, Mortenson, Ohrenschall, Segerblom, and Smith:

Assembly Bill No. 428—AN ACT relating to education; authorizing the issuance and renewal of a special qualifications license to certain applicants who hold a bachelor's degree; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Smith, Anderson, Hardy, Buckley, Gansert, Leslie, and Parnell; Senator Mathews:

Assembly Bill No. 429—AN ACT relating to education; revising the provisions governing the required minimum expenditures for textbooks, instructional supplies and instructional hardware; revising provisions governing certain reporting required of university schools for profoundly gifted pupils; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By Assemblymen Pierce, Koivisto, Arberry, Atkinson, Hogan, Horne, Kihuen, Kirkpatrick, Leslie, McClain, Mortenson, Munford, Ocegüera, Ohrenschall, and Segerblom; Senator Parks:

Assembly Bill No. 430—AN ACT relating to children's products; prohibiting the advertisement, sale, lease, sublet or distribution of children's products under certain circumstances; prohibiting certain commercial activity regarding unsafe cribs; providing that a violation of provisions relating to unsafe cribs or to children's products is a deceptive trade practice; authorizing the Consumer's Advocate of the Bureau of Consumer Protection in the Office of the Attorney General to ban or designate as a health or safety hazard any children's product; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Koivisto, Claborn, McClain, Kirkpatrick, Goedhart, Goicoechea, and Parnell:

Assembly Bill No. 431—AN ACT relating to verification of immigration status; making various changes concerning the verification of the immigration status of public employees and certain employees who work on a public works contract; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Smith and Ocegüera:

Assembly Bill No. 432—AN ACT relating to intoxicating liquors; revising provisions relating to alcoholic beverage awareness programs; providing for enforcement of certain provisions by peace officers; revising the distribution of civil fines paid for certain violations; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Pierce, Horne, Buckley, Arberry, Atkinson, Hogan, Kihuen, Kirkpatrick, Leslie, McClain, Mortenson, Munford, Ocegüera, Ohrenschall, and Segerblom; Senator Parks:

Assembly Bill No. 433—AN ACT relating to county hospitals; requiring a county hospital to provide cancer treatment as part of its care to indigent persons; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Cobb, Carpenter, Christensen, Gansert, Goedhart, Goicoechea, Gustavson, Hambrick, Hardy, McArthur, Settlemeyer, Stewart, and Woodbury:

Assembly Bill No. 434—AN ACT relating to retirement benefits; creating a Public Employees' Retirement Management Board; requiring the Board to establish a defined contribution retirement plan for public employees; requiring new public employees to participate in the retirement plan; providing for the forfeiture of public employee retirement benefits if the employee is convicted of certain crimes; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Pierce, Ohrenschall, Arberry, Hogan, Kihuen, Kirkpatrick, Mortenson, Munford, and Segerblom; Senator Parks:

Assembly Bill No. 435—AN ACT relating to elections; limiting the use of mechanical voting systems whereby a vote is cast on a device which directly records the vote electronically to use by persons with disabilities; requiring the Secretary of State to adopt regulations to establish a system of auditing the results of votes cast on mechanical voting systems; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Smith, Conklin, Buckley, Ocegüera, Gansert, and Leslie:

Assembly Bill No. 436—AN ACT relating to industrial insurance; providing for additional annual payments to certain persons entitled to receive death benefits; providing for an annual increase in certain death benefits; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Smith, Bobzien, Kirkpatrick, Buckley, and Ocegüera:

Assembly Bill No. 437—AN ACT relating to wildlife; requiring the Board of Wildlife Commissioners to establish a program for the issuance of additional big game tags to be known as "Dream Tags"; providing for the sale of such tags by the Department of Wildlife to a nonprofit organization with certain qualifications; providing for the resale of the tags by the nonprofit organization and the expenditure of the money received by the nonprofit organization from the resale of the tags; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture, and Mining and Ways and Means.

Motion carried.

By Assemblymen Bobzien, Leslie, Smith, Hardy, Buckley, Anderson, Atkinson, Denis, Dondero Loop, Horne, Kirkpatrick, Koivisto, Manendo, McClain, Ohrenschall, Parnell, and Segerblom:

Assembly Bill No. 438—AN ACT relating to health insurance; requiring a notice of noncoverage of a medical condition to be included on the first page of a policy of health insurance, contract for health insurance or health care plan under certain circumstances; requiring the filing of a report concerning the notice of noncoverage; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Hardy, Gansert, Goedhart, Goicoechea, Hambrick, and Stewart:

Assembly Bill No. 439—AN ACT relating to health insurance; allowing basic coverage policies and plans for individuals to exclude certain mandatory coverage; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Hardy, Goedhart, Goicoechea, and Stewart:

Assembly Bill No. 440—AN ACT relating to public employees; repealing the prospective expiration of provisions governing the reemployment of certain retired public employees who are hired to fill positions for which there is a critical labor shortage; prohibiting such employees from reenrolling in the Public Employees' Retirement System; limiting the compensation and certain benefits paid to such employees; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Ohrenschall, Bobzien, Aizley, Buckley, Claborn, Denis, Goedhart, Goicoechea, Hambrick, Hogan, Kihuen, Koivisto, Leslie, Manendo, McClain, Mortenson, Munford, Ocegüera, Parnell, and Segerblom; Senator Parks:

Assembly Bill No. 441—AN ACT relating to vehicles; clarifying that an electric bicycle is not a moped; requiring the owner of a moped or an electric bicycle to obtain a permit from the Department of Motor Vehicles; requiring

the owner of a moped to provide liability insurance; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Kirkpatrick, Segerblom, Conklin, Goicoechea, Munford, Pierce, and Smith; Senator Cegavske and Horsford:

Assembly Bill No. 442—AN ACT relating to lobbying; prohibiting an entity of the Executive, Legislative or Judicial Department of State Government, and local governments, from expending money for lobbying activities; prohibiting certain persons from receiving compensation or reimbursement for engaging in lobbying activities; prohibiting a person from expending money from a legislative appropriation or authorization for lobbying activities; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblywoman Leslie:

Assembly Bill No. 443—AN ACT relating to local government; creating a sixth ward for the City of Reno; requiring that the candidates for Councilman in the City of Reno and in the City of Sparks be voted for in a general election only by the registered voters of the ward that a candidate seeks to represent; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Government Affairs and Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblywomen Kirkpatrick and Smith:

Assembly Bill No. 444—AN ACT relating to taxation; repealing certain tax abatements and credits granted to certain businesses; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Government Affairs and Taxation.

Motion carried.

By Assemblyman Denis:

Assembly Bill No. 445—AN ACT relating to therapists; establishing provisions relating to the licensure of music therapists; replacing the Board of Massage Therapists with a new Board of Massage and Music Therapists; providing penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Buckley:

Assembly Bill No. 446—AN ACT relating to state financial administration; revising certain requirements for the proposed budget of the Executive Department of the State Government; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Arberry:

Assembly Bill No. 447—AN ACT relating to vehicles; revising provisions governing when a vehicle which has been wrecked, destroyed or otherwise damaged is a “total loss vehicle” based on its cost of repair; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Bobzien, Conklin, and Leslie; Senator Parks:

Assembly Bill No. 448—AN ACT relating to energy; providing for the participation in the Solar Energy Systems Incentive Program of a utility that operates a solar energy system pursuant to a solar power purchase agreement; requiring the Public Utilities Commission of Nevada to establish and maintain an Internet website to provide certain information to applicants for participation in the Solar Program; requiring a participant in the Solar Program to complete installation of a solar energy system within a specified time; providing for the withdrawal of a participant from the Solar Program or the Wind Energy Systems Demonstration Program under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Arberry:

Assembly Bill No. 449—AN ACT relating to property; removing the cap on the amount of the homestead exemption; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Gustavson, Cobb, Goicoechea, Hambrick, and McArthur:

Assembly Bill No. 450—AN ACT relating to taxation; repealing the business excise tax; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Arberry:

Assembly Bill No. 451—AN ACT relating to state obligations; establishing a program for the issuance of state obligations to provide venture capital to certain minority-owned businesses in this State; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Arberry:

Assembly Bill No. 452—AN ACT relating to real property; revising provisions relating to a notice of sale of real property under execution; establishing the crime of defacing a notice of sale of real property under execution or a notice of sale of real property pursuant to a trustee's power of sale; establishing rights and duties of a purchaser of real property pursuant to a foreclosure sale and establishing rights and duties of a tenant in possession of such property; revising provisions relating to a sale of real property pursuant to a trustee's power of sale; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Woodbury, Hardy, Carpenter, Christensen, Claborn, Cobb, Goedhart, Goicoechea, Grady, Hambrick, Manendo, and Stewart; Senator Cegavske:

Assembly Bill No. 453—AN ACT relating to education; revising provisions governing programs of incentive pay for certain employees of school districts; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Ohrenschall, Buckley, Manendo, Segerblom, Kihuen, Aizley, Anderson, Bobzien, Claborn, Conklin, Denis, Goicoechea, Hogan, Koivisto, Leslie, Mastroluca, McClain, Mortenson, Munford, Ocegüera, Pierce, and Smith; Senators Parks, Carlton and Lee:

Assembly Bill No. 454—AN ACT relating to housing; revising certain provisions relating to the grounds of termination for certain rental or lease agreements affecting certain tenants in a manufactured home park; revising certain costs a landlord is required to pay in association with the closing or conversion of a manufactured home park; revising certain provisions relating to an appeal from a judgment in an unlawful detainer action; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Woodbury, Hardy, Aizley, Atkinson, Carpenter, Christensen, Claborn, Cobb, Denis, Gansert, Goedhart, Goicoechea, Grady, Hambrick, Manendo, Spiegel, and Stewart; Senator Cegavske:

Assembly Bill No. 455—AN ACT relating to motor vehicles; authorizing the Department of Motor Vehicles to enter into agreements that authorize certain common, contract and private motor carriers and certain businesses or organizations to register motor vehicles without applying to the Department and to issue motor vehicle registration credentials on behalf of the Motor Carrier Division of the Department; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Bobzien, Leslie, Anderson, Denis, Dondero Loop, Manendo, Mastroluca, Ohrenschall, Parnell, and Segerblom; Senator Parks:

Assembly Bill No. 456—AN ACT relating to energy; requiring the Director of the Office of Energy within the Office of the Governor to create a list of approved renewable energy installations and energy efficiency improvements for residential property; allowing a local governing body to establish a district to finance renewable energy installations and energy efficiency improvements for residential property; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Ohrenschall, Anderson, Arberry, Atkinson, Bobzien, Buckley, Claborn, Conklin, Denis, Goedhart, Goicoechea, Hambrick, Hogan, Kihuen, Koivisto, Leslie, Manendo, McClain, Mortenson, Munford, and Segerblom; Senators Parks and Lee:

Assembly Bill No. 457—AN ACT relating to residential property; revising certain provisions relating to the energy efficiency of residential dwellings; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblywomen Buckley, Smith, Parnell, and Kirkpatrick:

Assembly Bill No. 458—AN ACT relating to public financial administration; creating the K-12 Public Education Stabilization Account; repealing the provisions applying certain tax abatements to taxes imposed for public education and authorizing certain tax credits against taxes imposed for public education; exempting certain taxes imposed for public education from the reallocation of property taxes levied on property in a redevelopment area; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman McClain:

Assembly Bill No. 459—AN ACT relating to the military; providing for the safekeeping of certain abandoned property; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Parnell:

Assembly Bill No. 460—AN ACT relating to the Public Employees' Benefits Program; revising the membership of the Board of the Public Employees' Benefits Program; prohibiting the Board from entering into certain contracts; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman McClain:

Assembly Bill No. 461—AN ACT relating to older persons; revising the provisions pertaining to the persons who are required to report the abuse, neglect, exploitation or isolation of an older person; providing for the establishment of a multidisciplinary team; increasing certain filing fees; making various other changes relating to older persons; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Ohrenschall and Segerblom:

Assembly Bill No. 462—AN ACT relating to criminal procedure; revising the provisions governing sureties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblywoman Smith:

Assembly Bill No. 463—AN ACT relating to governmental administration; restricting a department, division or other agency of this State or a local government from employing a person as a consultant; requiring a school district to submit to the Interim Finance Committee a report concerning each consultant employed by the school district; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Hardy and Senator Hardy:

Assembly Bill No. 464—AN ACT relating to transportation; requiring the Department of Transportation to establish a demonstration project for a toll road in connection with the Boulder City Bypass Project and to enter into one or more public-private partnerships to design, construct, develop, finance, operate or maintain the demonstration project; providing for the establishment of tolls, administrative fines and penalties; requiring the Department of Motor Vehicles to place a hold on the renewal of the registration of a motor vehicle of a registered owner who fails to pay a required toll for the use of the demonstration project and to otherwise assist in the collection of such tolls, fines and penalties; authorizing the Department of Motor Vehicles to establish certain administrative fees; authorizing the issuance of revenue bonds or notes of the State; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Grady:

Assembly Bill No. 465—AN ACT relating to assistance to finance housing; making various changes to provisions governing tax credits issued by the Housing Division of the Department of Business and Industry for certain housing development projects; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Settlemeyer, Cobb, Gansert, Goicoechea, and Grady:

Assembly Bill No. 466—AN ACT relating to franchise agreements; revising provisions relating to franchise agreements in certain counties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Pierce, Claborn, Koivisto, Manendo, and Segerblom:

Assembly Bill No. 467—AN ACT relating to governmental financial administration; revising provisions relating to the prevailing wage requirements; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Gustavson, Cobb, Goedhart, Goicoechea, Grady, Hambrick, and Settlemeyer; Senator McGinness:

Assembly Bill No. 468—AN ACT relating to citizenship; requiring the Office of the Attorney General to negotiate and implement a cooperative law enforcement agreement with the Attorney General of the United States regarding the enforcement of federal immigration laws by certain state and local employees; making various changes concerning the verification of the immigration status of public employees and certain employees who work on public works projects; providing that certain alien students are not eligible to receive certain types of financial assistance through the Nevada System of Higher Education; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 469—AN ACT relating to unemployment compensation; adopting an alternate base period for determining entitlement to unemployment benefits; temporarily authorizing the payment of unemployment benefits for an extended period and increasing the total extended benefit payable under certain circumstances; requiring the Department of Employment, Training and Rehabilitation to take any additional actions necessary to ensure receipt by the State of Nevada of the benefits available for unemployment compensation pursuant to the American Recovery and Reinvestment Act of 2009; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Anderson:

Assembly Bill No. 470—AN ACT relating to employment practices; prohibiting noncompete agreements for persons who hold a professional license; and providing other matters properly relating thereto.

Assemblyman Anderson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Ohrenschall, Bobzien, Segerblom, Leslie, Hogan, Aizley, Arberry, Goedhart, Goicoechea, Kihuen, Mortenson, Munford, Oceguera, and Pierce; Senator Parks:

Assembly Joint Resolution No. 14—Urging the United States Environmental Protection Agency to grant California a waiver to achieve certain reductions in greenhouse gas emissions from motor vehicles.

Assemblyman Ohrenschall moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Goicoechea, Settlemeyer, Grady, Carpenter, Ohrenschall, Christensen, Cobb, Gansert, Goedhart, Gustavson, Hambrick, Hardy, McArthur, and Stewart:

Assembly Joint Resolution No. 15—Claiming sovereignty under the Tenth Amendment of the U.S. Constitution.

Assemblyman Goicoechea moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

Assemblyman Oceguera moved that the action whereby Assembly Bill No. 379 was referred to the Committee on Taxation be rescinded.

Motion carried.

Assemblyman Oceguera moved that Assembly Bill No. 379 be referred to the Concurrent Committees on Health and Human Services and Taxation.

Motion carried.

Madam Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 5:44 p.m.

ASSEMBLY IN SESSION

At 6:07 p.m.

Madam Speaker presiding.

Quorum present.

By the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Assembly Concurrent Resolution No. 17—Accepting certain funds for unemployment compensation pursuant to the American Recovery and Reinvestment Act of 2009.

Assemblyman Ocegueda moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Wooster High School: Danny Knoob, Kylea Douglas, Trevor Shields, Jared Martinez, Sloan Miller, David Chan, Tim Contreras, Shelby Wharton, Matt Buckelew, Frances McGee, David Berg, Shaeley Widericksen, Sidney Leathers, Tyler Hendricks, Sharat Raghunathan, Nic Phillip, Jennie Mercado, Troy Sherman, Mike Samaniego, Estephania Jimenez, Sharise York, Kevin Razo, Caleb Mills, Holly Schlotzhauer, Matt Stewart-Francis, Tia Riddle, Kevin Singratanakul, Megan Donnelly, Stephanie Carpenter, Maria V. Oliva, and Saige Carruth.

On request of Assemblywoman Buckley, the privilege of the floor of the Assembly Chamber for this day was extended to Debbie Bergner and Jackie Bergner.

On request of Assemblyman Cobb, the privilege of the floor of the Assembly Chamber for this day was extended to William A. Bainter, Tony Almaraz, and Karen Lorenzo.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Barbara Thompson and Lisa Krasner.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Sheila Bazemore.

Assemblyman Ocegueda moved that the Assembly adjourn until Tuesday, March 17, 2009, at 11 a.m.

Motion carried.

Assembly adjourned at 6:10 p.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL

Chief Clerk of the Assembly